

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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:
MARK LAFFEY, PHILIP LAFFEY, :
U.S. 1 LAFFEY REAL ESTATE CORP. d/b/a :
LAFFEY FINE HOMES, LAFFEY ASSOCIATES, LLC :
eREALTY TITLE AGENCY CORP., TCG GROUP, INC. :
55 NORTHERN BVD. LLC, US 1 LAFFEY REAL :
ESTATE OF BROOKVILLE, INC., US 1 LAFFEY REAL :
ESTATE OF NEW HYDE PARK, INC. and :
GREENVALE COLONIAL HOUSE, LLC, :

Plaintiffs,

v.

EMMET LAFFEY, GREGORY BERKOWITZ, :
JOHN SCHOOMAKER, SCOTT CONLON, :
LAFFEY FINE HOMES INTERNATIONAL LLC, :
U.S. 1 LAFFEY OF WILLISTON PARK, INC. :
KAREN BERKOWITZ LAFFEY :
DEE DEE BRIX, MARIA BABAEV :
NATALIE MCCRAY, REGINA ROGERS :
JOE PIMENTA, JIMMY TUBBS, SONNY DECLARA, :
LISA CERETTA, CARA BUSTO, IRINA PASHINSKY, :
DORA ZELYAKOVSKY, PETER MORRIS, :
CHRISTOPHER HEIN, ELAINE LUPO, :
JOHN DOE No. 1, JOHN DOE No. 2, JOHN DOE No. 3, :
QUONTIC BANK, THE ROSLYN SAVINGS BANK, A :
DIVISION OF NEW YORK COMMUNITY BANK, :
GREATER JERICHO CORP, MULTIPLE LISTING :
SERVICE OF LONG ISLAND, INC., :
WHERE.TOLIVE.COM INC., LINCOLN LAND :
SERVICES LLC, and SIGNATURE PROPERTIES of :
HUNTINGTON, LLC a/k/a SIGNATURE PREMIER :
PROPERTIES. :

Defendants,

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AFFIRMATION OF JENNIFER R. RIDHA IN OPPOSITION TO PLAINTIFFS'
REQUEST FOR A PRELIMINARY INJUNCTION

No. 13 CV 519 (JFB)

JENNIFER R. RIDHA, an attorney duly admitted to practice in the State of New York and in the United States District Court for the Eastern District of New York, swears and affirms under penalty of perjury as follows:

1. I represent Irina Pashinsky in the above-captioned matter. As such, I am fully familiar with the pleadings and with the matters set forth herein.
2. I make this affirmation in opposition to plaintiffs' request for a preliminary injunction.
3. I attach to this affirmation as Exhibit A the Affidavit of Irina Pashinsky dated February 25, 2013.
4. As it pertains to Ms. Pashinsky, plaintiff's application for a preliminary injunction cannot be sustained because it fails to establish (1) any of threat of irreparable harm, (2) any likelihood of success on the claims contained in the underlying complaint, or (3) any sufficiently serious questions going to the merits to the claims that would cause the balance in hardships weigh in plaintiffs' favor.
5. Plaintiffs' request for the extraordinary remedy of injunctive relief is in fact a request for money damages, a remedy that is available at law.
6. Plaintiffs fail to allege a single element of any of the five claims that they have lodged against Ms. Pashinsky.
7. To grant injunctive relief would unduly burden Ms. Pashinsky, who would be required to return funds that unquestionably belong to her as plaintiffs pursue an entirely baseless litigation against her.

8. Based on the foregoing and on the reasons set forth in the accompanying memorandum of law, Ms. Pashinsky respectfully asks this Court to enter an order denying plaintiffs' application for injunctive relief, and grant such other and further relief as the Court deems just and proper.

Dated: New York, New York
February 25, 2013

JENNIFER R. RIDHA, ESQ.
Attorney for Irina Pashinsky

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